

-4-

Docket: T2250-906291

3 connected to the controller.

1 17. (amended) A method as defined in claim 16 wherein one or more of said base
2 stations are operably connected [provided with access] to a network manager.

1 18. (twice amended) A method as defined in Claim 15 wherein said broadband
2 wireless access is scaleable by increasing the number of ARICs at selected base stations,
3 thereby providing increased capacity in a given cellular area.

1 22. (twice amended) A base station for use in a cell of a cellular, broadband wireless
2 communication network comprising:
3 a switching system;
4 a first radio interface means integral to the switching system for supporting
5 communications between the base station and one or more network interface units within the
6 cell and second radio interface means integral to the switching system for providing an
7 intercell link whereby the base station communicates with a further base station associated
8 with another cell of the network, wherein the second radio interface means includes one or
9 more radio interface cards coupled through a transmitter and receiver to a high gain antenna
10 wherein the high gain antenna is 36 to 42 db and the one or more radio interface cards are
11 connected to a combiner which in turn is connected to the transmitter and receiver; and
12 wherein the switching system allows the base station to communicate selectively via the first
13 radio interface means and via the second radio interface means.

REMARKS

Claims 6, 7, 9-13, 15-18, 22, and 23 remain in the application. In the Official Action, Claims 6, 7, 11, 12, 13, 17, 18, and 22 were rejected as being indefinite. Claims 6 and 7 were rejected as being anticipated by Janky. Claims 9 and 15-16 were rejected, apparently as being obvious over Janky. Claims 10, 12, and 13 were rejected for the same reasons as

-5-

Docket: T2250-906291

Claims 6 and 9. Claims 11 and 17 were rejected, apparently as being anticipated by Janky. Claim 18 was rejected as being obvious over Janky. Claims 22 and 23 were rejected as being obvious over Janky in view of Takiyasu.

Initially, appreciation is expressed to the Examiner, Phuongchau Ba. Nguyen, and the Primary Examiner, Chau T. Nguyen, for the courtesy of an interview granted the undersigned on January 5, 2000. Although no specific agreement for the patentability of claims was reached, the Examiners kindly agreed to withdraw the finality of the last Office Action upon the filing of this formal response.

By way of this Amendment, Claims 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 18 and 22 have been rewritten to insure compliance with 35 USC 112 and to emphasize differences from the Janky patent.

Turning first to the 35 USC 112 rejections, Claim 6 now has been rewritten to more clearly state the features of the TDMA ARICs and the FDMA ARICs. Specifically, it now includes the following language:

and further comprising a controller and wherein the time division multiple access (TDMA) ARICs and the frequency division multiple access (FDMA) ARICs are operably connected to the controller such that communication from said base station to said NIUs is handled by the time division multiple access (TDMA) ARICs and communication from said NIUs to said base station is handled by the frequency division multiple access (FDMA) ARICs.

This should provide sufficient specific language that the interaction of the two ARICs is now clear. Claim 6 as amended complies with 35 USC 112.

Independent Claim 22 has been amended to clearly indicate the operation of the

-6-

Docket: T2250-906291

switching system that switches between use of the first radio interface means and use of the second radio interface means. Relative to the antenna gain, the gain advantageously allows the intercell link to have a greater range than the communications within a given cell. The claim is definite without including the specific manner

Dependent Claims 7, 10, 11, 12, 13, 16, 17, and 18 have been rewritten in response to the 35 USC 112 rejections and for clarification purposes. Each of these claims now clearly complies with 35 USC §112.

Turning now to the rejections based on Janky patent alone or in combination, Janky does have TDMA and FDMA channels within a communication system. Adding TDMA channels is used to increase the capacity. However, the Janky patent does not show or suggest that a base station communicate with a NIU using a TDMA ARIC in one direction (from base station to NIU) and using a FDMA ARIC in the other direction (from NIU to base station).

In stark contrast to Janky, independent Claims 6, 9, and 15 now specifically recite, in different language and with some variations, the feature of using a TDMA ARIC in one direction (from base station to NIU) and using a FDMA ARIC in the other direction (from NIU to base station). This advantageously provides scalability whereby system capacity can be relatively easily increased as needed at the base station and in the manner discussed in detail in the specification. Nothing in the the Takiyasu patent appears to make up for the failure of Janky to show or suggest this feature. Accordingly, these independent claims are clearly patentable.

Claim 22 requires first and second radio interface means integral to a switching system, the first radio interface means communicating within the cell and the second radio

-7-

Docket: T2250-906291

interface means communicating to base stations of another cell. In contrast, the repeaters 405 and 406 of FIG. 16 of Janky are designed to operate respectively with FDMA and TDMA units. It does not appear to show the recited first and second radio interfaces, one for within cell communication and the other for intercell linking. Claim 22 as amended is clearly patentable.

The dependent claims are patentable based upon their dependence from allowable independent claims and based upon numerous limitations therein.

An early Notice of Allowance is respectfully requested.

In the unlikely event that any issues remain unresolved following this amendment, the Examiner is requested to telephone the undersigned in the hopes of expediting allowance of the application.

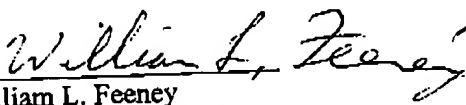
The amendment is being made to expedite allowance of the application. Unless expressly stated otherwise relative to one or more particular rejections, no concession is made or intended that any rejections were proper. Applicant reserves the right to later assert the patentability of any previous versions of the claims and any canceled claims.

-8-

Docket: T2250-906291

Although no fee is believed due beyond any attached by check, permission is hereby granted to charge our Deposit Account No. 50-1165 for any charges in connection with this paper or any extensions necessary with this paper.

Respectfully,

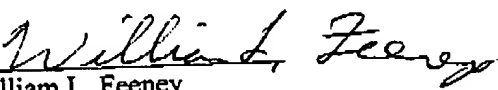

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this Amendment and Extension of Time is being facsimile transmitted to the Patent and Trademark Office at 703-305-~~4703~~ ^{703 305 3988 4509 ext 7} on the date shown below.

Date: January 24, 2000.


William L. Feeney
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